UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

CATHERINE SILVER
6001 Lucente Avenue
Suitland, MD 20746

Plaintiff,

v.

MICHAEL O. LEAVITT,
SECRETARY OF THE UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN
SERVICES
330 Independence Avenue
Washington, DC 20201

Defendant.

Case No.: 1:05cv0968

JURY TRIAL DEMANDED

UPON CONSIDERATION of Defendant's Motion to Dismiss, or In the Alternative for Summary Judgment, the memorandum of points and authorities in support thereof, opposition thereto, any reply, and the record herein, it is this ____ day of _____, 2005,

ORDERED, that Defendant's Motion be, and hereby is, DENIED.

_____
UNITED STATES DISTRICT COURT JUDGE

Copies to:
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